

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING DEPARTMENT OF ENVIRONMENTAL QUALITY AIR POLLUTION CONTROL

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 2533.) The Governor's Office authorized the notice to proceed through the rulemaking process on June 23, 2014.*

[R14-139]

- 1. Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 2, Department of Environmental Quality - Air Pollution Control  
**Article and its heading:** 7, Existing Stationary Source Performance Standards  
**Section numbers:** R18-2-701, R18-2-733, R18-2-733.01, R18-2-734 (*Sections may be added, deleted, or modified as necessary.*)

- 2. The subject matter of the proposed rule:**  
The Arizona Department of Environmental Quality (ADEQ) is considering amendments to the state standards for emissions of mercury by coal-fired electric utility steam generating units (EGUs) in R18-2-733, R18-2-733.01 and R18-2-734 (the "Arizona Mercury Rule") that would revise those rules to reflect EPA's repeal of its cap-and-trade program for mercury emissions and adoption of maximum achievable control technology (MACT) standards. Specifically, the amendments would (i) repeal provisions of the Arizona Mercury Rule (R18-2-733 and R18-2-733.01) that incorporate and modify the now defunct cap-and-trade program and (ii) amend the emission limits in R18-2-734 to be consistent with the MACT standards.

- 3. A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 20 A.A.R. 2487, September 12, 2014 (*in this issue*).

- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Steven J. Burr, Executive Consultant II  
Address: Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771-4251 (This number may be reached in-state by dialing 1-800-234-5677 and requesting the seven digit number.)  
Fax: (602) 771-2366  
Email: Burr.Steve@azdeq.gov

- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

See the Notice of Proposed Rulemaking on page 2487 of this issue.

- 6. A timetable for agency decisions or other action on the proceeding:**

See the Notice of Proposed Rulemaking on page 2487 of this issue.